

TESTIMONY ON SB 106

by Riley Johnson, NFIB/Montana State Director

before the Montana Senate Judiciary Committee on January 12, 2011

Mr. Chairman and members of the Committee:

NFIB is the nation's leading association of small businesses and the self employed. We have approximately 5600 members here in Montana, many of whom only employ 2-3 people and would feel especially burdened by the Patient Protection and Affordable Care Act legislation.

NFIB is the only association in the nation that has joined 20 states in filing this lawsuit to further its mission to protect the rights of small business owners to own, operate and grow their businesses. The patient protection law directly undermines this core value, and we are determined to fight against this law for our NFIB's members, for Montana small business owners, and for future generations of entrepreneurs.

Small businesses deserve better than a healthcare law that was rushed through the legislative process, ignores the Constitution, and ultimately will destroy jobs and could force some small businesses to close their doors.

NFIB is challenging the healthcare law on the grounds that the individual mandate contained in the law is unconstitutional. We strongly believe that Congress does not have the power to force individuals to purchase a private product or face a fine. Requiring individuals to purchase something simply because they are alive is unprecedented, and we believe ultimately unconstitutional.

Our nation's small business owners deserve better. Congress could have passed meaningful healthcare reform without violating the Constitution and burdening small businesses with unnecessary new costs. They chose otherwise, and NFIB is now compelled to take legal action to protect small business owners- and all Americans' constitutional rights.

To protect all Montanans' constitutional rights, fight for small business owners' right to own, operate, and grow their businesses, and defend our state from further infringement by the federal government, the State of Montana should join the legal challenge of the federal health care legislation.